

# UNITED STATES DISTRICT COURT

for

## DISTRICT OF NORTH DAKOTA

### Petition for Warrant or Summons for Person under Supervision

Name of Person Under Supervision: Catlyn Max James Kirkaldie Case Number: 0868 1:21CR00054

Name of Sentencing Judicial Officer: Daniel M. Traynor, U.S. District Court Judge

Date of Original Sentence: February 22, 2023

Original Offense: Assaulting and Resisting a Federal Officer Resulting in Bodily Injury

Original Sentence: 297 days imprisonment; 3 years supervised release

Type of Supervision: TSR

Date Supervision Commenced: 2/24/2023

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Asst. U.S. Attorney: Brandi S. Russell

Defense Attorney: Max A. Rudy

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### PETITIONING THE COURT

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the person under supervision has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
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- |    |                                                                                                                                                                                                                                                                                                                                |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | <b>On July 05, 2023, Kirkaldie provided a drug screen for U.S. Probation which tested positive for methamphetamine. Kirkaldie admitted to having ingested the illicit substance.</b> This is in violation of special condition number two (2) which states you must totally abstain from the use of alcohol and illegal drugs. |
| 2) | <b>On July 21, 2023, Kirkaldie provided a drug screen at the Minot Probation Office which tested positive for ETG. Kirkaldie admitted to having consumed a beer two days prior.</b> This is in violation of special condition number two (2) which states you must totally abstain from the use of alcohol and illegal drugs.  |
| 3) | <b>On November 08, 2023, Kirkaldie was arrested by Three Affiliated Tribes Law Enforcement and charged with Ingestion of a Controlled Substance, Assault and</b>                                                                                                                                                               |

PROB 12C  
(Rev. 2/13)  
Kirkaldie, Catlyn  
0868 1:21CR00054

**Battery, and Domestic Violence.** This is in violation of mandatory condition number one (1) which states you must not commit another federal, state, or local crime.

- 4) **Kirkaldie failed to report as directed to U.S. Probation.** This is in violation of standard condition number two (2) which states you must report to the probation officer as instructed.
- 5) **Kirkaldie failed to follow through with his mental health treatment program.** This is in violation of special condition number six (6) which states you must participate in mental health treatment and counseling as directed by the supervising probation officer.

U.S. Probation Officer Recommendation: It is respectfully recommended that a warrant be issued for the arrest of Catlyn Kirkaldie and hearings be held to determine if he has violated the terms and conditions of his supervised release.

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 9, 2023

/s/ Travis J. Dienslake  
U.S. Probation Officer

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THE COURT ORDERS:

☐ No Action.

☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.

☐ The Issuance of a Summons.

☐ Other



Signature of Judicial Officer

November 9, 2023

Date